

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the Matter of  
ARBITRATION OF DISPUTES  
between

LAUNDRY, DRY CLEANING WORKERS AND  
ALLIED INDUSTRIES HEALTH FUND, UNITE HERE! and  
LAUNDRY, DRY CLEANING WORKERS AND  
ALLIED INDUSTRIES RETIREMENT FUND, UNITE HERE!,  
Petitioners,

and  
LINENS OF EUROPE, INC.,  
LINENS OF EUROPE NEW YORK, INC. and  
S DURAN L, as a single employer,  
Respondent.

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DOCUMENT  
ELECTRONICALLY FILED  
DATE FILED: MAR 07 2008

**DEFAULT JUDGMENT**

**07 Civ. 6970 (LTS)**

The Laundry, Dry Cleaning Workers and Allied Industries Health Fund, UNITE HERE! and the Laundry, Dry Cleaning Workers and Allied Industries Retirement Fund, UNITE HERE! (hereinafter, the "Petitioners") having commenced the within proceeding on August 3, 2007 by filing a Petition to Confirm the Arbitration Award of Philip Ross, dated August 1, 2007 (hereinafter, the "Petition"), and Linens of Europe, Inc., Linens of Europe New York, Inc. and S Duran L, as a single employer (hereinafter, the "Respondent") having been duly served on August 23, 2007 with a copy of the Petition and copies of papers in support of the Petition by certified mail, return receipt requested, and proof of such service having been filed with the Court on August 24, 2007, and Respondent having failed to appear, answer or otherwise move with respect to the Petition, and in light of the fact that the Court is being asked to confirm a default arbitration award, and in accordance with the Second Circuit opinion in D.H. Blair & Co., Inc. - v. - Gottdiener, 462 F.3d 95 (2d Cir. 2006), this Court has examined the record upon which the underlying arbitration award was based, and finds that the record supplied to the arbitrator is a sufficient basis for the award; it is

**NOW, THEREFORE**, upon application of the Petitioners and upon reading the annexed Affidavit of Mark Schwartz, Esq. duly sworn the 19<sup>th</sup> day of November 2007 and the Certificate of J. Michael McMahon, Clerk of Court, United States District Court for the Southern District of New York, noting the default of the above-named Respondent for failure to appear, answer or otherwise move with respect to the Petition, it is hereby,

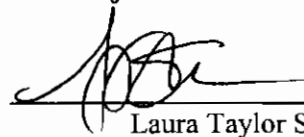
**ORDERED, ADJUDGED AND DECREED**, that the Arbitration Award of Philip Ross, dated June 29, 2007, is hereby confirmed in all respects; and it is further,

**ORDERED, ADJUDGED AND DECREED**, that Petitioners have Judgment against Respondent on the Award in the principal amount of \$35,638.68 together with interest from the

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date of the Award to the date hereof in the amount of <sup>4,387.83</sup>~~\$1,978.38~~, and costs in the amount of \$350.00, for a total Judgment of ~~\$37,967.06~~ <sup>\$40,376.51</sup>.

Dated: March 6, 2008  
New York, New York

  
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Laura Taylor Swain  
United States District Court Judge

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